

The USSR

REGIONAL AND POLITICAL ANALYSIS

Secret

RP ASU 77-013
9 June 1977

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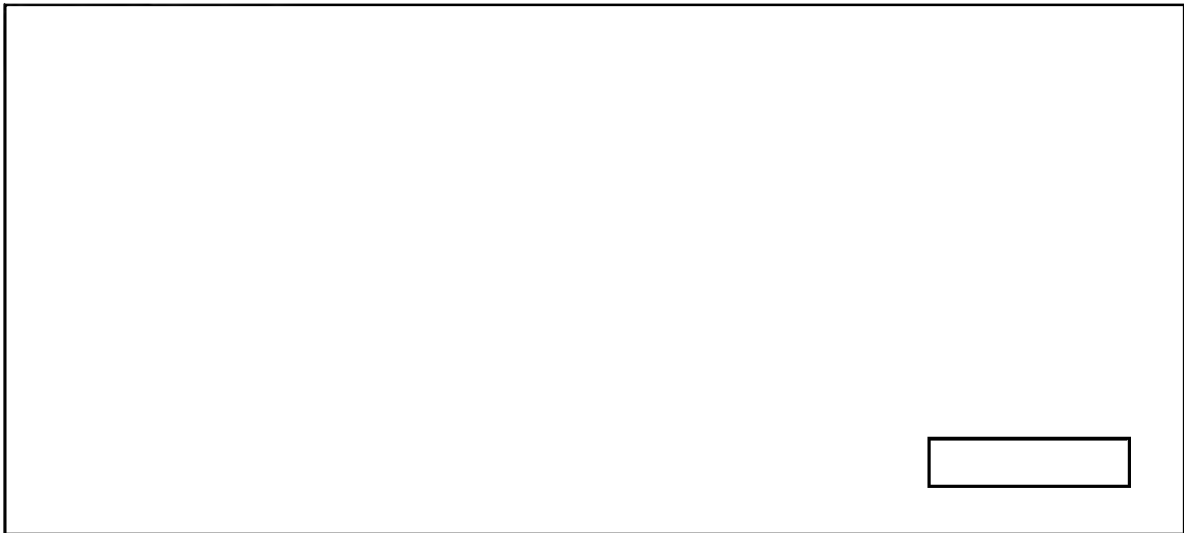
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The Soviet Draft Constitution

The draft "Brezhnev Constitution" published on Saturday points to some planned changes in institutional relationships that have reportedly been the subject of intense debate in the leadership. The draft charter strengthens the role of the Supreme Soviet and its Presidium vis-a-vis the Council of Ministers. If, as seems likely, General Secretary Brezhnev assumes the chairmanship of the Supreme Soviet Presidium, not only will he have the trappings of chief of state for his visit to Paris later this month but, more importantly, when the constitution is ratified next fall he will have new tools to use against the government bureaucracy.

A new position--first deputy chairman of the Supreme Soviet Presidium--has been established, presumably to assist Brezhnev with protocol duties. This new position will open up an important additional vacancy in the top leadership, and further shifts are to be expected.

In defining more precisely than does the 1936 constitution the relationship between the Supreme Soviet and the Council of Ministers, the draft constitution specifically gives the Supreme Soviet and its Presidium the right to decide on all matters of state, economic, social, and cultural developments and to control the execution of those decisions by the Council of Ministers.

More importantly, the draft gives the Supreme Soviet and its Presidium more political muscle. Supreme Soviet deputies will have the right to address inquiries to government organizations or officials, who must reply at a session of the Supreme Soviet. The draft also transfers the system of people's control committees from the executive branch, where it served essentially as a fangless watchdog against its parent organization, to the Supreme Soviet, where in the hands of a vigorous Presidium chairman it can be used to spotlight bureaucratic obstructionism.

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In the 1936 constitution, the ministries were listed one by one. In the new draft, they are referred to in general terms and in broad blocks of responsibilities. In his speech to the plenum last month, Brezhnev explained that this would relieve the Supreme Soviet of the necessity of amending the constitution each time a ministry is established or its responsibilities revised. In addition, however, the change may make it easier for Brezhnev and others long interested in attempting to streamline the economic management apparatus to effect a reorganization of the ministerial structure.

The guiding role of the party has been more explicitly spelled out and given pride of place. Recognition of the multinational character of the USSR has been made more explicit. For example, the right to schooling in minority native languages, which is provided for in laws on education and the nationalities, has now been enshrined in the constitution. On the other hand, in spelling out in greater detail the relationship between the central authorities and the republics, there is heavy emphasis on strengthening integration and control at the center. Brezhnev, in fact, alluded to this at the Central Committee plenum last month; his carefully chosen phrases indicated the sensitivity of the shift.

The draft contains several bows to the interests of senior party secretary Suslov. For example, of the six "tasks" identified for the current stage of the USSR's development, the first three are in the field of ideology. Brezhnev's often repeated desire to raise the standard of living follows in fourth place, ensuring national security is fifth, and helping to strengthen peace and promote international cooperation ranks sixth.

A brief new foreign policy section engraves in the constitution key phrases Brezhnev has voiced before in summarizing the USSR's diverse aims abroad. The order in which these are listed in the draft is intended to indicate Soviet long-term priorities.

--First, the preservation of favorable external conditions for internal Soviet develop and the strengthening of the position of "world Socialism"--that is, the Soviet bloc and the portion of the world communist movement still on speaking terms with Moscow.

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--Next, support for both "national liberation" struggles--meaning the anticolonialist movements of the third world--and "social progress"--meaning the improvement of communist positions in the capitalist world.

--Then, the prevention of "wars of aggression," and a pledge to implement peaceful coexistence with the capitalist states. At times in the past, peaceful coexistence had ranked higher in the catechism of Soviet foreign policy goals. The listing adopted for the constitution is consistent with more recent Soviet practice, and probably is more congenial to ideologues such as Suslov.

Another article in the foreign policy section repeats, without attribution, the 10 principles of the Helsinki Final Act, reaffirming Soviet determination to adhere to the line of Brezhnev's Peace Program. The draft elevates to first place the CSCE provision on nonuse of force to settle disputes. This modification may have been influenced by the current Soviet campaigns to promote multilateral treaties on nonuse of force and nonfirst use of nuclear weapons in Europe. There is evidence that the Soviets are planning very widespread and lengthy diplomatic efforts on behalf of these proposals, particularly the second one.

A section on defense has been added to the draft constitution containing assurances to the military that everything necessary to the defense of the country will be provided. The draft also specifies that the Supreme Soviet Presidium will formally appoint the members of the Defense Council, raising the possibility that the membership will at last be published.

The section on human rights has been expanded, obviously with an eye to the coming Belgrade Conference, primarily on the side of those rights involving physical well-being--the rights to work, to housing, to medical care, and to pensions. The civil liberties section is unchanged and strengthens the previous constitution's admonition that these rights must be exercised only in support of the interests of society and the state.

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There are new provision, however, that give citizens the right to lodge complaints against the actions of officials, to sue those officials, and to gain compensation for damages inflicted by the unlawful actions of state or public institutions. These provisions appear designed to protect the nonpolitical man in the street, not dissidents or other would-be reformers of the system.

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